

Senate Bill 345
February 6, 2007
Presented by Larry Peterman
Senate Local Government Committee

Madame Chair and committee members, for the record I am Larry Peterman, Chief of Field Operations of Montana Department of Fish, Wildlife & Parks (FWP).

I am here today to support Senate Bill 345. This bill will help protect riparian areas along the rivers and streams of the state. Riparian areas, those green swaths of vegetation that border our rivers, are the most biologically productive habitats in Montana. They contain the greatest number of wildlife species of any habitat. They are critically important to the fishery resources of the state. The riparian vegetation provides shade to keep water cool, the roots hold streambanks together minimizing erosion during high flows and creating those big undercut banks where lunker brown trout hang out. The leaf fall from the trees and shrubs is the basis of the food chain in rivers and streams-as it decomposes in the stream it is eaten by aquatic insects like mayflies and stoneflies that are the principal food of many game and non-game fish species. The riparian vegetation slows the flows during flood events allowing the water to sit and soak into the ground contributing to our groundwater resources.

When development occurs along our rivers and streams these riparian areas can be changed dramatically. We see it happening. We all love being close to water but we can still live and do business near rivers and streams and still allow the native forests and shrubs to remain. We can have lawns and driveways, and still ensure that the willows and plants remain to provide the shade and strong roots that hold streambanks together.

At this time in Montana, a stream set back law makes sense, not just for fish and wildlife, but also for people, and businesses, and local governments who want to work together to:

- keep Montana's water clean,
- save personal and taxpayer money, and
- continue to enjoy Montana's fish and wildlife.

Clean Water: Montana's future depends on clean water. By setting a home or business back from a river or stream, the buffer of vegetation remains to filter and trap sediment and pollutants and prevents them from degrading the quality of our streams.

Increased Safety from Floods and Erosion: Rivers move and rivers flood. Almost every year floods and erosion along streams and rivers in Montana destroy homes, businesses and property. By setting a home or business back from a river or stream the owner can help reduce or avoid flood and erosion damage to their investments and save personal and taxpayer money in the long run. Setbacks give the river room to be a river.

Increased Fish and Wildlife: Montanans and visitors alike appreciate the richness of Montana's fish and wildlife. It defines us as a people. By setting a home or business back from a river or stream, the townspeople, the developer, and the home or business owner all concur that it

is important to reduce or avoid damaging or destroying fish and wildlife habitats. A stream setback ensures that we will continue to enjoy the fish and wildlife we all agree are worth keeping.

We all know that Montana's fastest growth is in rural places near rivers, lakes, and forests. This legislation will go a long way toward raising the awareness of how important these areas are to Montana. I think we can all agree that finding ways to protect these important riparian areas, as we continue to see growth along our beautiful rivers and streams, is one of this state's most important issues.